



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

DIPLOMATIC AFFAIRS AND INTERNATIONAL LAW, 1912

PAUL S. REINSCH

University of Wisconsin

The dominant fact in foreign affairs in the year 1912 was the existence of the wars against Turkey. Turkey in Europe, and the entire Balkan region, had long been looked upon as the powder barrel of Europe. Anxiety concerning the future of this region had become a constant fear in European diplomacy, and although scares were of frequent occurrence, the nerves of Europe did not seem to get accustomed to them. Every war-cloud arising in that region seemed to threaten a storm that would sweep the entire continent. It was, therefore, natural that when Italy became involved in a war with Turkey, European policy should be full of apprehensions, and should exert itself to the utmost to tide over the dangerous situation. It did secure the limitation of the area of hostilities during the war over Tripoli, but its efforts to prevent the Balkan states from taking advantage of the opportunities afforded were fruitless, and the future seemed very uncertain, indeed. But when war had been begun, the action of the Balkan allies revealed an organization so effective, a management so capable, that a new status was almost immediately created in the Balkan region. A powerful organization seemed to have arisen which could take charge and solve the difficulties of Macedonia on the spot. Turkey became an Asiatic power, and the entire indirection that had been the bane of the Macedonian situation was brought to an end. While up to the close of the year there still remained many circumstances that inspired anxiety, nevertheless the air was cleared perceptibly by the revelation of this new, capable, and reliable political organization in southeastern Europe. Under present conditions, the troubles and problems of international politics rise largely from the weakness and incapacity

ity of a state; when the power to govern well, and to defend itself, has been demonstrated by a political organism, the general stability of affairs is promoted.

THE WAR ABOUT TRIPOLI

The area of the war, which during the year 1911 had been restricted to Africa, with sporadic demonstrations along the Albanian coast, was extended during January and February of 1912. The Italian navy carried its action first onto the Red Sea; then to the Syrian town of Beirut, in the harbor of which a number of Turkish vessels were demolished; and finally, in April, there occurred an Italian demonstration in the Dardanelles, at the very doors of Constantinople. The Island of Rhodes was occupied, and in rapid succession other Turkish islands in the Aegean Sea were seized, until the Italians controlled twelve of them. The appearance of Italian vessels off the Dardanelles caused the Turkish government to close that passage to vessels of commerce—an action which threatened to interfere disastrously with the shipment of Russian grain from the Black Sea ports. The closure was, however, only of short duration, although the Turkish government repeatedly took recourse to this means of action.

The movements executed by the Italian fleet caused great apprehension in Europe, as it was feared that in consequence of this action the area of land war might also be extended so as to include Turkey in Europe and Asia and directly to affect the interests of the other powers. On its part, the Italian government maintained that the naval action was entirely in accord with its declared purpose not to carry the war into European Turkey, and that it represented merely a necessary and reasonable employment of Italy's sea power, for the purpose of bringing the war to a rapid conclusion, and vindicating the right to the occupation of Tripoli.

Meanwhile the lines of occupation in Tripoli itself were being gradually extended by the Italian army. This progress was indeed slow, as the resistance of the interior tribes, which were constantly replenishing their forces and supplies, kept up with

unabated energy. Yet the superior organization of the Italian army had its effect, and it became possible to occupy important posts in the interior, through which the caravan routes could be dominated.

The war was vastly more expensive to Italy than to Turkey, and the latter evidently relied upon the probability of the Italians becoming exhausted before they could decisively make good their position in Tripoli. The naval action indeed worried the Turkish government not a little, and yet it was felt that, should the Italians actually carry the war into the more central Turkish dominions, they would find it a very serious undertaking. On the other hand, the reconquest of Tripoli by Turkey was rendered difficult, if not impossible, by the sea power of the Italians. In this matter the Turks relied upon the warlike energies of the natives of northern Africa, believing that the Italians would have to encounter not only the tribes of Tripoli itself, but numberless volunteers from Tunis and other Mohammedan regions.

But immediately after the second half of the year had begun, another danger dawned upon Turkey in the form of the pressing demands of the Balkan states. This rendered the Porte somewhat more inclined to consider Italian proposals. A preliminary peace conference was held at Lausanne, and finally, on October 15, just before the Balkan allies began military action, the treaty of Lausanne was signed, by which Turkey ceded Tripoli and Cyrenaica, and Italy returned to Turkey the Aegean islands occupied by her. Italy further agreed that the sultan might retain the rights of religious headship over the Moslem in the ceded region. Italy had thus achieved her purpose, and had made good the occupation of the Turkish dependency, which she had considered necessary to her own national life, and which she believed had been administrated by Turkey in such an inefficient manner as to make it justifiable for some other government to take over the control. The manner, however, in which Italy had begun this war, without being impelled thereto by a substantial grievance, will not so soon be forgotten. In a cynically direct way, this action brushed aside all considerations of lawfulness, and placed itself squarely on the standpoint of the prime validity of

organized force. Throughout, however, the Italian government showed consummate diplomacy, both in selecting the moment of decisive action, in preparing for it, and carrying out her purpose without encountering serious opposition from any source.

Early in the year a diplomatic incident arose between Italy and France. The *Carthage* and the *Manouba*, French vessels, had been seized by the Italians, on the charge that they were engaged in un-neutral service. One of the ships was carrying aeroplanes, the other a group of Turks who claimed to be members of the Red Crescent Society. For a while feeling ran high, as the French were greatly incensed at this interference with their vessels, while the Italians, on their part, charged the French with a breach of neutrality. The matter, being pressed by the French government, was adjusted by the Turkish prisoners being set at liberty, and the status of the ships being referred to The Hague tribunal for adjudication.

THE BALKAN WAR

The last three months of the year witnessed a war that, in the importance of its motive forces and its results upon the future political alignments of the world, would yield to few wars of modern history. The accounts of centuries were here balanced. The pent-up feelings of injustice and oppression, nourished in the breasts of helpless generations, finally burst forth with a sweep of elemental natural force. The war came as a surprise to the world, and in its progress it upset the most respected calculations and belied the most authoritative forecasts. Turkey herself was taken entirely unawares. Decades of diplomatic fencing, of counterbalancing of forces and rivalries, had given her an assurance that she should always be able to play off her opponents against each other. She regarded as entirely improbable, indeed as impossible, any efficient coöperation between the Balkan nationalities themselves. For scores of years they had been engaged in bitter rivalry in their efforts to gain influence and an acknowledged position of leadership among the Christian subjects of Turkey in Macedonia. Macedonian troubles had

been due only half to Turkish oppression; they had been aggravated and redoubled by the constant hostility between the Bulgars, Servians, and Greeks, not to mention Albanians and Vlachs, in their insistent efforts to improve their claims on the racial allegiance of the Macedonians. But the apparently impossible came to pass. Bulgarian diplomacy, seconded and protected by that of Russia, succeeded in making Serbia, Montenegro, and Greece acknowledge the fact that the pitiful situation of Macedonia could never be improved so long as Turkey could make use of their mutual rivalry to maintain her political dominion. The Tripolitan war had revealed the weakness of the Turkish organization. The golden opportunity seemed to have at last arrived. To follow up the successes of Italy with an united attack upon Turkish dominion in Europe could not but shake Turkish power to its foundations. Military preparations were brought to a head in the first part of October. The European powers, fearful of the consequences which an action by the Balkan peoples against Turkey might have upon the general peace of the world, used their diplomatic influence to prevail upon the allies to desist. But, as European diplomacy had shown itself unable to find a remedy for the faults of Turkish dominion in Europe, so it now lacked the moral hold and strength to prevail upon the allies to give up the desire to secure relief for the Christians of Macedonia through their own action.

On October 8, on the very day when the concerted diplomatic representations were made by Austria and Russia on behalf of the great powers, Montenegro took military action against Turkey. The others, pleading that they could not now abandon their ally, continued their menacing attitude until, on October 17, a Turkish ultimatum was followed up by the Porte declaring war against Bulgaria and Servia; on the same day, Greece, acting in complete understanding with the Slavic states, on her part issued a declaration of war against Turkey. Even before war had been declared, Turkey had seized a large number of Greek merchant vessels, in anticipation of hostilities. The demands of the allies upon which their warlike action was based, included autonomy for Macedonia, the appointment of Christian gover-

nors in the Macedonian provinces, the withdrawal of Turkish troops, and the representation of the Macedonian Christians in the Turkish parliament. The allies declared that they had no intention of bringing about territorial changes. The latter point was also insisted upon by the great powers, who declared that in the event of military action being taken, the Balkan states must not expect to extend their territorial boundaries.

The military preparation of the allies was so complete, they proceeded with such rapidity and masterfulness, that they might almost be said to have established an immediate occupation of the Turkish provinces in Europe. As the Bulgarians were closest to the Turkish capital, it was natural that the brunt of the fighting should fall upon them. They astonished the world by the efficiency of their military organization, as well as the qualities displayed by their soldiery in general. Before the end of October they inflicted a decisive defeat upon the Turks at Lule-Burgas, and forced the Turkish army to retreat to the fortified lines of Tchataldja, close to Constantinople. A part of the Turkish army was bottled up in the fortress of Adrianople; all sorties were successfully resisted, though it was not possible to reduce the fortress itself. Meanwhile military operations were carried on with scarcely less energy by the Servians and Montenegrins in the northwest, and by the Greeks in the south of Macedonia—the former taking Novi Bazar and Uskup, the latter, with some support on the part of Bulgarian troops, occupying Saloniki.

The rapidity and completeness of the Turkish downfall astonished the world. It was due partly to the general incapacity of the Turks for efficient organization on a large scale. They were, moreover, totally unprepared, as they had conceived joint action by the Balkan states as impossible—a belief in which they had been shrewdly strengthened by the diplomacy of Bulgaria and Russia. So defective was their organization that the troops constantly found themselves without proper provisioning, sanitary service, and even ammunition. The morale of the troops was impaired by an inverted fatalism, due to the recent defeat of Turkey by Italy; it seemed to lie in destiny that the Turks were to lose their dominion in Europe, and return to Asia, nomads as they had come nearly five hundred years ago.

When the present hopelessness of her position became clear to Turkey, she sued for an armistice, undoubtedly cherishing the hope that, as in 1878, diplomacy might win what war had lost, or that, if there should be a return to fighting, her position would be improved through the arrival of reinforcements from her Asiatic dominions. As the allies had now occupied all of Turkey in Europe, with the exception of Adrianople and the immediate vicinity of Constantinople, they had no ground for resisting the suggestion that a parley be held. This was moreover very strongly pressed upon them by the European powers. So a diplomatic conference was arranged for, which met in London on December 16, and which negotiated until the end of the year without arriving at an agreement. In the last proposal, Turkey still insisted upon retaining Adrianople and the Aegean islands with the exception of Crete—conditions which the allies were unwilling to accept. It seemed that pressure by the European concert would be necessary to make Turkey realize and admit her real position.

While the war, involving as it did the question of Turkish dominion on the European continent, was momentous enough, even if only the belligerent states themselves be considered, it gained vastly in importance through its bearing upon the ambitions and policies of the great powers, especially upon the destiny of the Slavic race in Europe. The Russian government, while remaining neutral, assumed and maintained a most benevolent attitude towards the ambitions of the Slavic nations in the Balkans. Herein it was at one with the Russian people, who followed the action of the Balkan Slavs with a spontaneous sympathy, and who with great enthusiasm shared the joy of their victories. The manner in which the interests of the great powers were involved was brought out clearly when Austria objected to the acquisition by Servia of a port on the Adriatic. When this protest was made, the world realized that it was in the presence of a great crisis, which might easily result in a general war. It was not the question of a port on the Adriatic itself that could have such consequences, but the whole complex of facts and relations to which the Austrian protest was an index. The situation represented a life and death question to the Austrian

Empire—the greatest crisis in its history, since the war of 1866 had severed it from the other German states. The coming of Serbia to the Adriatic would not have meant merely that Austro-Hungary would therefore be excluded from extending its system of communications eastward to the Aegean, but it would also mean the strengthening of Slavic power in southern Europe, outside of the Austrian Empire, to such an extent as to make it problematical whether Austria-Hungary could retain permanently the allegiance of her own Southern Slavs. As is known, Austrian policy had for some time been working towards the constitution of a great southern Slav (Young-Slav) kingdom, forming part of the Austrian Empire. In thus making the dual monarchy a triad of German, Hungarian, and Slav elements, it was hoped that Serbia could be drawn into this Slavic kingdom of the south. An entirely different direction would be given to probabilities, should Serbia, strengthened through the present war, achieve an outlet to the Adriatic Sea, remaining in alliance with Bulgaria, and under the influence of the Russian Empire. The threatening shadow of Russian power would then be surrounding Austria-Hungary on the north, east and south. Could, however, Serbia be denied access to the Adriatic, she would remain more dependent upon Austria-Hungary, and at the same time her unsatisfied desire for expansion would make it probable that friction would again occur between her and Bulgaria. Thus the hope would be kept alive that Serbia would ultimately enter the Austro-Hungarian federation, as a part of the Slavic kingdom of the south.

The alternatives in the Balkan situation at the present are, therefore, the creation of an independent Slavic state in south-eastern Europe, composed of Bulgaria, Serbia, Montenegro, the northern part of Macedonia, and the vilayat of Adrianople, with access both to the Adriatic and the Aegean Seas; with the probability of attracting the southern Slavs in the Austro-Hungarian Empire. This first alternative, in the minds of many, includes and foreshadows a second, the dominance of Russian influence and ultimately of Russian sovereignty, in southwestern Europe. The third alternative would be the creation of a Slavic state,

including Servia, within the boundaries of the Austro-Hungarian Empire, giving to the southern Slavs an organization which, through its intimate alliance with Austria, would be protected against Russian domination. It is, however, not to be supposed that Bulgaria and Servia, if established as powerful Slavic states, would readily subordinate themselves to Russian power. Grateful as they are for Russian assistance and goodwill, they would not be likely to court the fate of other Slavic races like the Poles, or Little Russians, who are now under Russian dominion. While thus, there would seem to be a considerable likelihood that a large Slavic state or confederation in the south of Europe would be jealous of its independence, even over against Russia; yet its situation would be such that in critical times it might be driven to rely upon Russian support, at the expense of complete freedom of political movement.

The protest of Austria against the occupation by Servia of a part of the Adriatic coast took the form of a vindication of the rights of the Albanians to autonomy and to an uncurtailed possession of the territories held by them. In this, Austro-Hungary had the support of the Italian government, which also does not desire to see Albania absorbed by a Slavic state. As this policy is in line with the general professions of the Balkan allies and with the demands for national autonomy which they are making in their own behalf, the position taken by Austria and Italy had considerable logical strength. After some uncertainty it became clear that Servia would not make extreme demands, provided that she could be assured of free commercial transit by way of an Adriatic port.

It happens that the interests of the west European powers in this crisis follow a grouping that corresponds to the existing alliances—a fact which seemed to aggravate the seriousness of the situation. The powers of the Triple Alliance view the situation from the same standpoint, and accordingly it is not surprising that the alliance, which seemed to have suffered in cohesion through the action of Italy against Turkey, was renewed again in solemn terms in December, a considerable time before its expiration. On the other hand, Great Britain, animated by a

desire to block any plans of German expansion, and consequently ready to have Russia step in the way of the Germanic nations, even in Turkey, which Great Britain formerly so jealously protected against Russian encroachments, has no objection whatever to the growth of a strong Slavic state in southwestern Europe. France, for her part, is mainly concerned that the payment of the public debts of the parts affected shall not be interfered with. Realizing the gravity of the situation, and the terrible nature of a general conflict, both Great Britain and Germany, however, used their influence in behalf of a peaceful solution. The German chancellor indeed made a parliamentary declaration to the effect that Germany would be faithful to her allies, which was followed by a similar manifesto by the French minister of foreign affairs; but it is certain that the influence of Germany was exerted toward calming the warlike energies of Austro-Hungary.

A foretaste of what economic disturbances a general European war would produce was given by the condition of the European exchanges, in October when the Balkan war broke out, and again a little later, when Austrian complications were threatened. It has been calculated that, during the critical days in October, values on the German bourses alone shrank by an amount of \$500,000,000, while the entire depreciation of European securities reached the sum of \$6,000,000,000 during the last quarter. The total paralysis which would strike credit, and thereby economic enterprise, in the event of a general European war, it is terrifying to contemplate. It is plain that especial suffering would be inflicted upon a country like Germany, because of its highly organized and delicately adjusted economic life, which, being on an upward grade, is in the need of constantly expanding credits. Very different is the situation of the countries actually involved in this war. Not having a highly developed industrial organization, but being composed of agricultural communities, they did not suffer that complete derangement of economic life which would take place in a state industrially more advanced. Their sufferings and sacrifices were indeed great, but not such as to involve almost immediate economic bankruptcy. *Moratoria*, or delays in payment, had indeed to be granted, but they are common in

the agricultural credit of these countries. As to economic activities, the harvest had been garnered; the provisioning of the army was done largely with products of the country itself. There was no industrial life to be paralyzed by the withdrawal of labor and credit, so that the economic effects of the war upon the immediate belligerents, serious as were the sacrifices made, would give but a remote idea of the derangements that war would cause in a state of western Europe.

The two wars of 1912 have a common characteristic in that they took the form of an occupation of territories long misgoverned by a sovereign devoid of all efficient organization. The object in modern military action is to create immediately, or within the briefest possible space, a status, such as the occupation of territory or of some point of cardinal importance. It is hardly conceivable that under modern conditions a government would undertake a war for such an indefinite purpose as the general predominance over some other state. The responsibility is too great, the chances of war too fearful, to risk national existence in such an enterprise. But a different situation exists, when through the utter inefficiency of some other political organization, opportunity is given to create a new status. If, on such occasions, a balance between neutral states can be secured, as was done by Italy, so as to avoid the danger of interference, a nation desirous of expanding its development and its activities may endeavor to displace the incapable power. A new status of this kind is frequently created by diplomatic means alone, as was the Russian position in Manchuria, or her present influence in Persia. But when the chance is promising and the time pressing, diplomatic means are sometimes supplemented by force. It is in the taking of position in this manner, step by step, in the gradual displacement of non-efficient by efficient organizations, that modern war plays its part. A general haphazard fray need not be feared, but indeed serious enough conflicts may arise through the attempt of creating a status by immediate action, when the power of resistance of the apparently weak organization, or the aspect of the general diplomatic constellation has not been rightly judged by the power taking action.

One reason for the justness of these considerations may be found in the fact that in modern warfare, the position of the defensive is so much stronger than that of the attack that, from the point of view of responsibility for eventual success, a forward movement could hardly ever be justified, if it proceeded upon the basis of a general struggle against another nation for supremacy, while it might be quite probable that the taking of a definite position could be successfully maintained. In a sense, therefore, it may be said that war is going on all the time. Nations develop their organization, including their military and naval strength, and when an advanced position is taken in diplomacy by one of them, this is done in reliance upon the strength of the national organization. Instead of going to war and trying out the situation, as it would have been done in a less scientific age, modern diplomacy calculates the potentialities involved, and makes allowance for the strength of the actual factors. It was not necessary for Austro-Hungary to fight in order to complete her claim to sovereignty over Bosnia and Herzegovina. The potentialities involved were calculated by the powers concerned, and they acted or forebore to act accordingly.

In our age it is not brute force, but efficiency of organization that controls. This does not say that it may be possible always to avoid armed conflict between highly civilized and efficiently organized states, but it does seem to indicate that a government would be entirely out of touch with the spirit of the times if it were to go into war without a very definite purpose as to some specific position to be maintained, or a status to be created, which position or status it firmly believed to be founded on essential justice and to have a necessary relation to the development of its own organic life and efficiency. This might indeed lead to a general and bloody war, but it seems apparent that this method and course of procedure is at any rate far less likely to involve the world in general wars than would those vague and indefinite aspirations and hostilities which form the stock in trade of so much discussion concerning international politics.

It is entirely in accord with the character of modern war, as being waged for the protection or the maintenance of a definite

position, that an effort should be made by the neutrals to circumscribe the area of hostilities. This was done in the Russo-Japanese war, when it was agreed that military action should be confined to Manchuria, and should not involve China proper. In a similar manner, the neutral powers secured the limitation of the extent of hostile action of Italy against Turkey in the Tripolitan war. In the Balkan struggle, the area of warfare was limited by the fact that the allies had definitely announced their purpose as relating exclusively to the betterment of conditions in European Turkey. There is a great gain to civilization in this practice; for not only does it protect regions which are not directly involved in the issue of the war from invasions and useless harryings, but it serves also to render much clearer the idea that the purpose of war is the occupation of a certain position, and not a general fury of destruction.

WESTERN EUROPEAN AFFAIRS

The situation in western Europe continues to be dominated by the intense rivalry between Great Britain and Germany. The hope that an understanding with respect to the limitation of armaments might be arrived at had again to be deferred, notwithstanding the fact that on both sides declarations were made indicating a readiness to come to such an agreement. Each side, however, waited for the other to take a decisive step in that direction, and thus the condition still obtains that in both countries, and in others as well, which are influenced by this situation, the size of the budget is fixed by what another country does in the way of military preparation. A move which helped to keep alive this estrangement was a new disposition of the French fleet, announced in August. The remaining British battleships were withdrawn from the Mediterranean and incorporated in the home fleet, while the entire naval force of France was concentrated in the Mediterranean. This action, which gives France the predominance in the Mediterranean, was taken in order to increase the striking power of both the French and British fleets, which now have their units closely brought together, so

that they can be handled as one powerful weapon. Clearly a part of the policy of "penning in" Germany, this new measure was deeply resented in the latter country, and served to dispel any hope of arriving at an understanding with Great Britain with respect to naval forces. In behalf of Great Britain, efforts were continued to have the self-governing colonies and India contribute to the maritime power of the mother country. It was announced that the native princes of India were contemplating a "gift" of several war vessels; and on December 5 the Canadian cabinet introduced a bill in the Ottawa parliament which provides for the construction of three dreadnoughts, at a cost of \$35,000,000, which are to be placed at the disposal of the British admiralty. All this points to the conclusion that Great Britain has no idea of giving up her predominance on the sea without a struggle.

In diplomacy, England won recognition for herself through the manner in which the difficult situation growing out of the Balkan war was handled; as a result, London was selected as the place of meeting for the peace conference. All this seems to point to a new conception of imperial policy in Great Britain. Considering the advantage of her world position, and relying upon the strength derived therefrom, that country is inclined to steer clear of purely European embroilments. Such a policy, if carried through in a just and liberal spirit, would give England an opportunity of following an impartial course in European affairs, and thus greatly adding to her influence. It is certain that she will attempt to mold the temper of her various allies, in accordance with her imperial interests, rather than from the point of view of purely European rivalries. When, in April, the greatest German diplomat, Baron Marschall von Bieberstein, was put in charge of the embassy at London, this was looked upon as a sign of a desire on the part of Germany to use her best efforts to settle her outstanding difficulties with England; but Baron von Marschall's death supervened in September, and the rise of an entirely new situation in the Near East led to a new stage in Anglo-German relations, the true bearing of which has not yet revealed itself.

France continued to develop her interests in Morocco, now freed from any fear of political interference on the part of Germany. On March 30, a formal treaty of protectorate was concluded between France and the Maghzen. The adjustment of the special claims which the Spanish advance to an interest in northern Morocco was settled by an agreement concluded on November 27.

FAR EASTERN AFFAIRS

In China the formal abdication of the Manchu rulers on February 12 was followed by the establishment of a provisional government under the headship of Yuan Shi-kai which has, notwithstanding difficulties of many kinds, succeeded in maintaining law and order throughout the provinces. No formal recognition has been given the Chinese republic as yet, as the governments are waiting for the complete establishment of permanent republican institutions by the constituent assembly, which is to assemble in January, 1913. The American congress, however, by a concurrent resolution, April 17, expressed the sympathy of the American people with the establishment of republican institutions in China. In a note directed to the German ambassador, and growing out of a correspondence begun by the German government, Mr. Knox on February 3, while affairs in China were still somewhat unsettled, declared for the maintenance of China's territorial integrity, and took position against interference, except by joint action of the interested powers, and for the protection of their nationals. But while the powers in general adhered to a policy such as that expressed in this note, as far as the eighteen provinces of China proper are concerned, China in the course of a year was made to feel that she was in danger of losing her dependencies.

When the Chinese government dispatched troops to Thibet for the purpose of restoring its authority there, Great Britain, on August 17, protested against this action as being out of accord with the treaty of 1906. At the same time the French were advancing their interests in the southern province of Yunnan. But it was the situation in Mongolia that gave the Chinese spe-

cial anxiety. The Buddhist high priest (Hutuktu) of Urga, under whose headship Mongolia had made a move for independence in December, 1911, continued to be assisted by Russia, and to be entirely under the influence of Russian agents. Towards the end of the year it became known that the Russian government had made a treaty recognizing the independence of Mongolia, and it was commonly believed that the terms of this agreement, which were kept secret, included a virtual guarantee of that independence by Russia. This act excited the greatest indignation in China, where it was felt that Russia was trying to take advantage of the temporary embarrassments of the Chinese people, to deprive them of a region which they needed and which they would be able to administrate efficiently as soon as their government had been permanently organized. Popular feeling against Russia was very bitter, and in December, by general understanding, a boycott of Russian goods came into being, and there was a run on the branches of the Russo-Asiatic Bank in China. The Tutuhs, or military commanders, of the various provinces organized special expedition corps to be used in restoring Chinese authority in Mongolia. Japan had throughout the year maintained a quiet and reserved attitude, but it was commonly believed in China that the journey of Prince Katsura to St. Petersburg, in the summer, was undertaken for the purpose of discussing plans with respect to the development of Japanese and Russian power in Manchuria.

The revolution brought heavy extraordinary expenses and interfered with the revenues of the government so that the payments on the Boxer indemnity fell into arrears. Moreover, the government was confronted with new claims for damages occasioned to foreigners during the revolution. In attempting to provide a necessary working capital, the government encountered the difficulty that it had few unpledged securities. Russia indeed would have been only too ready to advance money upon special security in northern Manchuria, and loans might have been secured from other powers upon similar special pledges, but it was of course out of the question that the Chinese government should enter into such arrangements. Negotiations were begun

with representatives of a syndicate composed of banks of Great Britain, Germany, France, the United States, Russia, and Japan. The demands which the six powers put forward, to control the manner of expending the borrowed money together with the collection of the revenues of the Chinese government, were so strict as to be unacceptable to the Chinese. They therefore attempted various other means of escape from the difficulty. Domestic loans were tried, but it was impossible to raise capital sufficient for the present needs. An arrangement was concluded with a private group, known as the Crisp Syndicate, for a loan of \$50,000,000; but as the salt tax, which had already been pledged for the payment of the Boxer indemnities, was to form the security of this loan, it was objected to by the powers, as tending to involve China in bankruptcy. After long and painful negotiations, an agreement was arranged on December 31, by which a loan of \$125,000,000, to be issued at ninety-four, is to be furnished China by the six-power group. The demands for financial control have been moderated somewhat and provide for the appointment of a European adviser, the German representative in the group, to the Chinese audit department. As the Chinese budget for the ensuing year amounts to \$450,000,000, which includes \$15,000,000 for the establishment of the gold standard, and as, like others engaged in financial operations, the Chinese government finds the beginning of the year especially trying, it is plain that assistance such as contemplated could not have been deferred any longer without bringing on disastrous consequences.

FOREIGN RELATIONS OF THE UNITED STATES

The general arbitration treaties which had been negotiated between the United States and Great Britain and France were considered by the senate, and their ratification was advised on March 17, but not without such important modifications as to change their character materially. The provision by which it was left to a joint high commission to determine, in cases of disagreement between the parties, whether or not a difference is subject to arbitration, as involving a justiciable question, was

stricken out. The senate therefore reserved to itself the power of determining in each individual case whether the question at issue is to be considered justiciable or not. It is of course to be understood that, even in their present form, the treaties would morally bind the United States to arbitrate any question that is purely legal or plainly justiciable in its nature. To make it clear that certain questions would never be considered as being arbitrable under these treaties, the senate added the following clause:

"Provided, That the senate advises and consents to the ratification of the said treaty with the understanding to be made part of such ratification, that the treaty does not authorize the submission to arbitration of any question which affects the admission of aliens into the United States, or the admission of aliens to the educational institutions of the several states, or the territorial integrity of the several states or of the United States, or concerning the question of the alleged indebtedness or monied obligation of any State of the United States or any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions commonly described as the Monroe Doctrine, or other purely governmental policy."

The treaties in this form were not ratified, as it seemed that they did not constitute a sufficiently important advance over the general arbitration treaties already in force.

As a report was current early in the year that Japanese interests were attempting to acquire a coaling station in Magdalena Bay, Lower California, the senate directed an inquiry upon this matter to the department of state. The sole basis of the rumor was found to consist in the attempt of an American, who had become involved in an unprofitable land company in that region, to unload upon some Japanese. Notwithstanding this entirely unexciting situation, Senator Lodge felt moved to introduce a resolution, which attempts to define by anticipation the attitude that the government of the United States would assume, should a situation arise such as had been suspected to exist at Magdalena Bay. The senate resolved:

“That when any harbor or other place in the American continent is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another government, not American, as to give that government practical power of control for national purposes.”

Opinion is much divided as to the wisdom of making a declaration of this kind, looking to an entirely hypothetical case. The declaration was not made primarily as an extension or interpretation of the Monroe Doctrine, but as a statement forestalling any situation in which the United States might feel the need of making use of its right of self-defense. It was the latter principle that was emphasized in the discussions.

By far the most important American matter of international concern during the year was the legislation providing for the government of the Panama Canal. There was a strong sentiment in congress in favor of exempting all American vessels from canal dues, and the first formulation of the canal bill contained a provision to that effect. However, in the course of discussion, both international and in congress, the conviction gained that, under the Hay-Pauncefote treaty, which provides for the absolutely equal treatment of all vessels passing through the canal, such a preference in behalf of American vessels would, notwithstanding the special relation which our government holds to the canal, be inadmissible. In its final form the Panama canal bill provided for equal tolls upon all vessels, with the exception that ships engaged in the coastwise trade of the United States shall be entirely exempt. The British government, which had expressed its opinion against the more general exemption of American vessels, continued its protest against the less inclusive provision, on the ground that the wording of the treaty admitted of no exceptions. Objection was also made to the provision in the bill which contemplates the exclusion of railway-owned vessels, if, in the judgment of the interstate commerce commission, the

particular railway constitutes a line of transportation competing with the canal. A formal demand for a modification of the law, or in default of such action, for arbitration of the matter before The Hague tribunal, was submitted by the British government in December. At the end of the year the American government had not made its answer to this demand.

In behalf of the exemption of American coastal vessels, it was urged by those who supported this policy, that as the coastal trade is restricted by law to vessels under American registry, their exemption from tolls would not constitute a discrimination against other nations. The strongest motive for enacting this legislation, however, was undoubtedly the desire to make it possible for coastal vessels to compete with the railways, with the result of lowering transportation rates throughout the American Union. For this reason the problem appeared primarily one of domestic interest, which ought to be settled according to the needs of our own national life. But though there may be two opinions as to the policy of exempting our coastwise trade, it hardly would admit of any doubt that, under the wording of our arbitration treaty with Great Britain, this matter, which plainly involves the interpretation of a treaty, is subject to arbitration, and that the United States government would deal a serious blow, not only to the cause of arbitration of international disputes, but to its own reputation for fair dealing, were it to decline judicial settlement. The fear that European judges would hold against the United States does not constitute a justifiable motive for refusing arbitration. In the first place, such a view would make all arbitration, except in the most unimportant cases, impossible. In the second place, it is not justified in itself, as, although European nations may desire that American ships should not be exempt from dues, that is a far different thing from responsible jurists deciding that, as a matter of legal interpretation under the treaty, we are bound not to grant such an exemption. Though Europe may not be disinterested, we could certainly count on an impartial tribunal. If in the opinion of fair men we have made a promise, we are bound, until we have secured a release. Such are the views advanced by those who

believe that the United States, in justice to itself, cannot afford to refuse the demand of arbitration in this case.

As conditions in Mexico continued unsettled throughout the year, the American government was confronted with many delicate problems. Though frequently American citizens having interests in Mexico suffered loss, and though their personal security was at times threatened, the government refrained from any action in the nature of intervention. It confined itself to having the frontier guarded by troops, so as to prevent evasion of the neutrality laws. In order to assist the Mexican government in its efforts to gain and maintain control over revolutionary disturbances, Mexican federal troops were allowed to pass through American territory in Texas; a formal protest against this permission was, however, entered by the governor of that State. In March, congress passed a joint resolution enabling the President to prohibit the shipment of arms or munitions of war to any American country where conditions of violence may exist. Following out this important extension of our neutrality laws, the President, on March 14, issued a proclamation prohibiting the export of arms and munitions of war to Mexico. In line with this effort to prevent the promotion of revolutionary acts from the soil of the United States, the senate ordered an investigation, to ascertain whether American capital had been employed in fomenting revolution in Mexico.

In Central America the disturbances and troubles to which that region is accustomed, continued to manifest themselves during the year. The treaties providing for the making of loans and for the appointment of financial advisers in Honduras and Nicaragua, were not ratified by the senate. The state department, however, continued its efforts to carry out a policy in line with these conventions. A loan of \$1,500,000, to be increased later to \$15,000,000, was arranged for Nicaragua, and a national Bank of Nicaragua was organized. At the request of the government of that republic, a collector general of customs was nominated by the state department. When during the summer a serious revolt broke out, American marines were landed, to protect citizens of the United States and their interests. Various

engagements took place, but order was rapidly restored. In Honduras efforts were made to arrange for a loan of \$6,000,000, with a New Orleans syndicate. The British government asked the support of the United States in protecting the interests of British holders of Guatemalan securities. Accordingly the American government suggested to Guatemala the desirability of restoring its credit and making arrangements for a loan, to satisfy foreign creditors and to place the development of the country on a secure footing. In Santo Domingo the action of the American fiscal advisership continues. Boundary controversies with Haiti and revolutionary movements along the boundary, induced the American government to send a commission, which established a provisional boundary line, and arranged for the security of the custom houses. In May, when considerable unrest manifested itself in Cuba, and there seemed to be danger of a revolutionary movement, American marines from the naval station of Guantanamo were ordered upon Cuban territory, for the purpose of protecting American interests, without any desire of undertaking at the time a renewed intervention in Cuban political affairs. During the year an arrangement was also made with the Cuban government, by which, in exchange for the American rights at Bahia Honda, the Cuban government granted additional territory to be added to the area of the naval station at Guantanamo.

LATIN-AMERICAN AFFAIRS

A development as important as it is welcome was the *rapprochement* between Chili and Peru. These countries, which have continued in strained relations for over thirty years, seem to be in a conciliatory mood. The election of Sr. Billinghurst, a noted political leader, as president of Peru, was favorable to progress in this matter, as he had in the past stood for a settlement of the outstanding difficulties. A preliminary agreement was arrived at, by which the taking of the plebiscite, through which the ultimate sovereignty of Tacna and Arica is to be determined, will be deferred for twenty-one years, the two countries meanwhile entering upon closer commercial relations. The boundary

controversy between Ecuador and Peru has also received a satisfactory settlement, so that at the present time the only Peruvian boundary that remains in litigation is that which she has in common with Columbia. Diplomatic relations between Argentina and Bolivia, which had been interrupted since the Argentinian president, in the Peruvian boundary arbitration, pronounced a judgment unwelcome to Bolivia, were restored, so that here, too, a normal situation was created. Paraguay, which throughout the year was torn with internal conflicts, for a while broke off diplomatic relations with Argentina. There is a standing cause of complaint on the part of Paraguay, because of the demands of the Argentine Republic under the indemnity which was imposed upon Paraguay after the war of 1855 and which is still unpaid. The more direct cause of the present difficulty, however, lay in the disturbance created by the revolution, and the resulting complaints and reclamations of Argentinian subjects. The interruption of relations, however, lasted only for a short time.

World-wide public interest and apprehension were aroused by the report issued in July by Sir Roger Casement concerning atrocities committed in the rubber region of eastern Peru. On account of the hegemony in American affairs which it has assumed through the Monroe Doctrine, the government of the United States was called upon to remonstrate with Peru, and to take steps to protect the natives against cruelties. In order to get more complete information, the American government detailed a consular official to make a special investigation on the spot. Meanwhile the Peruvian government protested that the reported outrages had been committed years ago, and that notwithstanding the difficulties due to the remoteness of the region and to the absence of regular means of communication, it had already taken effective steps to prevent the recurrence of such practices.

The fourth Central American conference held its session at Managua on January 3. Its deliberations and resolutions dealt with the establishment of an united Central American consular service, the improvement of maritime and telegraphic communications, and similar matters of an administrative nature.

INTERNATIONAL CONFERENCES AND INTERNATIONAL LAW

The international conference for the restriction of the liquor traffic in Africa met at Brussels on January 4. Its discussions dealt with the enlargement of the zone of absolute prohibition, and the increase of taxes upon liquor in the zone within which the sale is permitted. During the same month an international radiographic conference took place at London. The system of mutual labor protection, obtaining between Italy and France, was also further extended in this month. In March, the general assembly of the International Sugar Union met at Brussels, where the convention of 1902 was prolonged, after the settlement of a controversy with respect to the rights and obligations of Russia under this treaty. In May a conference took place concerning the administration of the Island of Spitzbergen, at which Norway, Sweden and Russia were represented. It was agreed that the island was to be administrated jointly as neutral territory, but that the execution of police powers was to be under the charge of a Norwegian commissioner.

An international conference for the unification of the law relating to checks and drafts met at The Hague in June. An international congress dealing with the subject of aerial law, and comprising representatives of Germany, Great Britain, France, Italy and Switzerland met at Geneva in July. It agreed upon additions to the Rules of Paris, in the matter of the application of local law and of the law of the state of origin to the pilots and passengers of air-ships, and considered the extent of the local police power.

On June 26 there convened at Rio de Janeiro the Pan-American commission for the codification of international law, appointed under a convention signed at the third international American conference in 1906. Seventeen states were represented. The commission adopted a number of permanent regulations, and formed six committees, among which the topics of international public and private law was divided. These commissions are to meet at different places (Washington, Rio de Janeiro, Santiago, Buenos Aires, Montevideo and Lima), and are to report the results of their studies and deliberations to a plenary meeting of the commission to be held in 1914.